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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,864	07/16/2003	Ethan R. Bradford	TEG10011	1754

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EXAMINER	
SPOONER, LAMONT M	

ART UNIT	PAPER NUMBER
2626	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/621,864	BRADFORD ET AL.	
	Examiner	Art Unit	
	Lamont M. Spooner	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-58* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8,10-13,23,25-28,31-38,40-43,45-52 and 54-57* is/are rejected.

7)☒ Claim(s) *9,14,15,24,29,30,39,44,53 and 58* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2 recites the limitation "said reorder database" in claim 2, line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-8, 10, 11, 13, 16-23, 25, 26, 28, 31-38, 40, 41, 43, 45-52, 54, 55, and 57 are rejected under 35 U.S.C. 102(e) as being anticipated by King et al. (King, 6,307,549).

As per **claims 1, 16, 31 and 45**, King teaches a process for reordering items retrieved from a database for display to a user, comprising the steps of:

accepting user input from a keyboard (C.6.lines 37-40); providing a linguistic database (Fig. 2. item 110); wherein said linguistic database contains words ordered using a linguistic model (C.7.lines 22-25, 34-36); dynamically retrieving words from said linguistic database that comprise letters formed by the user's keyboard input (ibid); displaying a list of said retrieved words to the user (C.7.lines 16-20); wherein words in said list are ordered using the linguistic database ordering and a dynamic reordering frequency count (C.7.lines 34-37); wherein the dynamic reordering frequency count overrides the linguistic database ordering for words in said list (C.7.lines 40-45); and assigning a dynamic reordering frequency count to words selected by the user from said list (C.13.lines 53-67, C.14.lines 1-13).

As per **claims 2, 17, 32 and 46**, King teaches the process of Claim 1, further comprising the step of: providing a reorder database (C.13.lines 53-55); and wherein said assigning step inserts selected words and their

associated reordering frequencies into said reorder database (C.14.lines 1-13).

As per **claims 3, 18, 33 and 47**, King teaches the process of Claim 2, further comprising the step of: providing a user database (C.22.lines 1-10); wherein words that the user specifically enters into the system are stored in said user database (ibid); and wherein said retrieving step also retrieves words that comprise letters formed by the user's keyboard input from said user database (ibid).

As per **claims 4, 19, 34 and 48**, King teaches the process of Claim 2, wherein said assigning step inserts a first ordered word from said list and a non first ordered word into said reorder database (C.14.lines 1-13-his frequency use of words in his vocabulary base) if the user has selected the non first ordered word for the first time, and wherein the first ordered word is inserted if it does not already exist in said reorder database (C.22.lines 1-10-his frequency use of custom vocabulary).

As per **claims 5, 20, 35 and 49**, King teaches the process of Claim 4, wherein the first ordered word in said list loses its position if the non first ordered word is selected by the user a predetermined number of times, and

wherein the non first ordered word is then assigned a higher frequency value than the first ordered word (C.14.lines 1-14).

As per **claims 6, 21, 36 and 50**, King teaches the process of Claim 4, wherein all non first ordered words entered into said reorder database are initially assigned equal reordering frequencies (C.14.lines 1-14-inherent to frequency count, wherein all objects must start at a frequency of 0).

As per **claims 7, 22, 37 and 51**, King teaches the process of Claim 1, wherein a word's reordering frequency is increased each time the user selects the word (C.14.lines 1-13-inherent to the process of frequency count of each object).

As per **claims 8, 23, 38 and 52**, King teaches the process of Claim 1, wherein if a word in said list is selected by the user and the word is below a second ordered position then said assigning step assigns the word's reordering frequency to a value that places the word in the second ordered position in said list (C.13.lines 53-67, C.14.lines 1-14-is necessary/inherent in re-ordering a list based on frequency, in changing position due to frequency of use).

As per **claims 10, 25, 40, and 54**, King teaches the process of Claim 3, further comprising the step of: periodically checking the free space of

said reordering database (C.16.lines 13-17); wherein if the free space in said reordering database below a predetermined threshold (ibid), then removing words that have reordering frequencies below a predetermined threshold from said reordering database (C.16.lines 13-17).

As per **claims 11, 26, 41 and 55**, King teaches the process of Claim 10, wherein said checking step removes user defined words having reordering frequencies below the predetermined threshold after other words having reordering frequencies below the predetermined threshold from said reordering database (ibid-see claim 10, and Fig. 8F-his user define word, the Examiner notes user defined words, any word, would be inherently, per the invention, be removed, if below the threshold).

As per **claims 13, 28, 43 and 57**, King teaches the process of Claim 1, further comprising the step of: resolving reordering frequency collisions in said list wherein said resolving step resolves a collision if two words have the same reordering frequency by ordering the word having a higher ordering in said linguistic database first (C.6.lines 5-11).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over King et al. (King, US 6,307,549) in view of Miller (US 5,805,911).

As per **claims 12, 27, 42 and 56** King teaches the process of claim 1, but lacks explicitly teaching: resolving reordering frequency collisions in said list; wherein said resolving step resolves a collision if two words have the same reordering frequency by ordering the most recently selected of the two words first. However, Miller teaches these lacking limitations, C.9 lines 45-54). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to combine King's list with the recent selection of Miller. Providing the benefit of an ordered prediction list, by recent selection (ibid).

Allowable Subject Matter

7. Claims 9, 14, 15, 24, 29, 30, 39, 44, 53, and 58 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Ostergard et al. (US 2006/0190819) teaches of a predictive text with continuous update.
- Gunn et al. (US 2005/0223308) teaches of predictive text with multiple ranking methods based on frequency and weights.
- Weber et al. (US 5,305,205) teaches of continuous update of frequency in a reference vocabulary of predictive text.
- Tafoya et al. (US 6,829,607) teaches of auto-completion with frequency and weight information of a entry for auto-completion.
- Namba (US 6,314,418) teaches of an index managing unit, updating the index, and free area/space of the storage area based on the calculated free space, including statistics information on the index, such as occurrence frequency of record information for each key and others.

- Shanahan et al. (US 6,820,075) teaches of an auto-completion system, including information space analysis, and the order in which entities in a dictionary are applied to the text.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lamont M. Spooner whose telephone number is 571/272-7613. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571/272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PATRICK N. EDOUARD
SUPERVISORY PATENT EXAMINER

lms
04/25/07